

No. _____

In the Supreme Court of the United States

COLE JESTER, in his official capacity as Secretary of State and Chair of the Arkansas State Board of Election Commissioners; AND SHARON BROOKS, JAMIE CLEMMER, BOB BALLINGER, DEBORAH FERGUSON, RICK DAVIS, AND JOHNATHAN WILLIAMS, in their official capacities as Commissioners of the Arkansas State Board of Election Commissioners,

Applicants,

v.

GET LOUD ARKANSAS, VOTE.ORG, NIKKI PASTOR, AND TRINITY “BLAKE” LOPER,

Respondents.

UNOPPOSED APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF CERTIORARI

To the Honorable Brett M. Kavanaugh, Associate Justice of the Supreme Court of the United States and Circuit Justice for the United States Court of Appeals for the Eighth Circuit:

1. Applicants are the Arkansas State Board of Election Commissioners in their official capacities, including the Arkansas Secretary of State, Cole Jester.
2. Applicants request a 60-day extension until October 19, 2026, to file a petition for a writ of certiorari. S. Ct. R. 13.5.
3. The judgment for which review is sought is *Get Loud Arkansas v. Jester*, 171 F.4th 1058 (8th Cir. 2026). On March 31, 2026, the United States Court of Appeals for the Eighth Circuit issued a 2-1 opinion with Judge Stras dissenting. *See*

Exh. “A.” On May 22, 2026, the Eighth Circuit denied panel rehearing with one dissent and denied rehearing en banc with five judges dissenting. *See* Exh. “B.” This Court has jurisdiction under 28 U.S.C. § 1254(1).

4. Absent an extension, a petition for a writ of certiorari would be due on August 20, 2026. S. Ct. R. 13.3. This application is being filed more than 10 days before that date, and no prior application has been made in this case.

5. This case presents a significant question of federalism on which the federal circuits are divided. The question to be presented is whether a citizen’s handwritten or “wet” signature on a voter registration application is “material in determining whether such individual is qualified under State law to vote,” under the Materiality Provision of the Civil Rights Act of 1964, 52 U.S.C. § 10101(a)(2)(B).

6. As to a similar Texas requirement, the Fifth Circuit answered the question in the affirmative. *Vote.org v. Callanen*, 89 F.4th 459 (5th Cir. 2023); *see also* *Vote.org v. Byrd*, 700 F. Supp. 3d 1047 (N.D. Fla. 2023), *appeal docketed*, No. 23-13727 (11th Cir. Nov. 13, 2023); *accord Pa. State Conf. of NAACP Branches v. Sec’y Commw. of Pa.*, 97 F.4th 120 (3d Cir. 2024). Here, the divided panel broke with the Fifth Circuit by “agree[ing] with the dissenting opinion in *Callanen* ... and part[ing] company with the *Callanen* majority[].” *Get Loud Ark.*, 171 F.4th at 1066.

7. Undersigned counsel was not involved in the litigation below and was just recently retained. It will take considerable time for counsel to familiarize himself with the substantial record and prepare a concise petition of maximum helpfulness to the Court. While counsel, since being retained, has been working diligently on this

matter, he also has substantial briefing obligations over the next 60 days, including briefs in *Ross v. Ark. Dep't of Human Servs.*, No. CV-26-483 (Ark. Ct. App.) (August 8); *Ruach v. State*, CR-26-325 (Ark. Ct. App.) (August 14); *Barton v. State*, CR-26-386 (Ark. Ct. App.) (August 19); *Harry Chambers Land LP v. ConocoPhillips Co.*, CV-26-520 (Ark. Ct. App.) (September 1); *Mercy Health Fort Smith v. Stipins*, CV-26-417 (Ark. Ct. App.) (September 2); and *Kolln v. Coutts*, CV-26-281 (Ark. Ct. App.) (September 11). And given opposing parties' brief due dates, he will likely have briefs due in *McEntyre v. Chambers*, CV-26-276 (Ark. Ct. App.) (opposing brief due August 15); *Sharp v. Sharp*, CV-26-453 (Ark. Ct. App.) (opposing brief due August 17); *Wilson v. Ark. Dep't of Human Servs.*, CV-26-120 (Ark. Ct. App.) (opposing brief due August 20); *Sherrill v. Fuller*, CV-26-88 (Ark. Ct. App.) (opposing brief due August 23); and *Cathey v. State*, CR-26-343 (Ark. Ct. App.) (opposing brief due August 26).

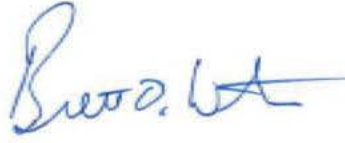
8. Given the recent retention of undersigned counsel, his schedule, and the important issues in this case, good cause exists for an extension. Sixty more days would give counsel sufficient time to fully examine the circuit split, research and analyze the issues presented, and prepare the petition.

9. Applicants' counsel is authorized to state that Respondents' counsel does not object to a 60-day extension.

Wherefore, Applicants respectfully request an order extending the time to file a petition for a writ of certiorari until October 19, 2026.

Dated: August 5, 2026

Respectfully submitted,



Brett D. Watson

Counsel of Record

BRETT D. WATSON, ATTORNEY AT LAW, PLLC

P.O. Box 707

Searcy, AR 72145-0707

(501) 281-2468

watson@bdwpllc.com

Counsel for Applicants